

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

Timothy Cleveland,

Case No. 2:24-cv-00511-CDS-DJA

Plaintiffs,

Order

V.

Andrew Flores, et al.,

Defendants.

Before the Court is Plaintiff’s motion “concerning summons.” (ECF No. 19). In it, Plaintiff alleges that the law firm of Leach Kern Gruchow Song is “obstruct[ing] this court process,” by not accepting service on behalf of Defendants Andrew Flores and Larry Palmer. (*Id.*). Plaintiff asks for the Court to “verify” that Flores and Palmer “received summons,” “determine the extent of Leach[] Kern Gruchow and Song attorney services to the First Light at Old Vegas Ranch 237 Homeowners,” and provide Palmer a second opportunity to file a response. (*Id.* at 4). Plaintiff attaches letters from Leach Kern Gruchow Song in which the firm states that it “serves as the legal counsel for the First Light at Old Vegas Ranch Homeowners Association (the ‘Association’).” (*Id.* at 8). The firm further explains:

While this office serves as legal counsel for the Association, our firm is not the Registered Agent for the Association and we are not authorized to accept service of process on behalf of the Association. However, the Association is not a named defendant in the lawsuit. Our firm is not legal counsel for the named defendants Andrew Flores or Larry Palmer. As such we are not authorized to accept service of process on their behalf.

(Id_1) .

The firm has filed an affidavit disputing Plaintiff's "proof of service" as to Palmer filed at ECF No. 17. (ECF No. 18). The firm also responded to Plaintiff's motion. (ECF No. 20). In both filings, the firm explains that it is not counsel for Palmer and Flores, cannot accept service

1 for them, and that the firm and the First Light at Old Vegas Ranch Homeowners Association are
2 not parties to this action.

3 Given the firm's explanations and the fact that Plaintiff has provided no basis for the relief
4 he seeks, the Court denies Plaintiff's motion. The Court further directs Plaintiff to review and
5 follow Federal Rule of Civil Procedure 4 regarding service of summons.

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7 **IT IS THEREFORE ORDERED** that Plaintiff's motion (ECF No. 19) is **denied**.

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9 DATED: September 6, 2024

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DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE